

ASSEMBLY BILL

No. 2678

**Introduced by Committee on Labor and Employment (Assembly
Members Swanson (Chair), Alejo, Allen, Furutani, and Yamada)**

March 5, 2012

An act to amend Section 554 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2678, as introduced, Committee on Labor and Employment. Working hours.

Existing law provides that, with specified exceptions, employees are entitled to one day's rest in 7, and an employer may not cause his or her employees to work more than 6 days in 7.

This bill would make nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 554 of the Labor Code is amended to
2 read:
3 554. (a) Sections 551 and 552 shall not apply to ~~any cases a~~
4 ~~case~~ of emergency nor to work performed in the protection of life
5 or property from loss or destruction, nor to ~~any a~~ common carrier
6 engaged in or connected with the movement of trains. This chapter,
7 with the exception of Section 558, shall not apply to ~~any a~~ person
8 employed in an agricultural occupation, as defined in Order No.
9 14-80 (operative January 1, 1998) of the Industrial Welfare

1 Commission. Nothing in this chapter shall be construed to prevent
2 an accumulation of days of rest when the nature of the employment
3 reasonably requires that the employee work seven or more
4 consecutive days, if in each calendar month the employee receives
5 days of rest equivalent to one day's rest in seven. The requirement
6 respecting the equivalent of one day's rest in seven shall apply,
7 notwithstanding the other provisions of this chapter relating to
8 collective bargaining agreements, ~~where~~ *if* the employer and a
9 labor organization representing employees of the employer have
10 entered into a valid collective bargaining agreement respecting the
11 hours of work of the employees, unless the agreement expressly
12 provides otherwise.

13 (b) In addition to the exceptions specified in subdivision (a),
14 the Chief of the Division of Labor Standards Enforcement may,
15 when in his or her judgment hardship will result, exempt ~~any~~ *an*
16 employer or employees from the provisions of Sections 551 and
17 552.